

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-201

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge improperly denied his petition for post-conviction relief.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 26, 2015

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on August 26, 2015.

*This order may not be used as a basis for disqualification of a judge.*

2015-201

HERE I LIKE TO FILE A COMPLAINT OF JUDICIAL MISCONDUCT ON (JUDGE) FOR THE FOLLOWING:

- (1) WILLFUL MISCONDUCT IN OFFICE
- (2) WILLFUL & PERSISTENT FAILURE TO PERFORM DUTIES
- (3) CONDUCT THAT BRINGS THE JUDICIAL INTO DISREPUTE

( WILLFUL MISCONDUCT IN OFFICE )

(1) I THE PETITIONER FILED MY PETITION PURSUANT TO (A)(3) STATE-V-ROBBINS, 166 ARIZ 531, 533, 803 P2D 942, 944, (APP. 1991) MARTINEZ-V-RYAN, 566 U.S., \_\_\_ (2012) STATE-V-PETTY, 255 ARIZ. 369, 238 P3D 637

THE COURT (JUDGE) SUMMARILY DENIED THE PETITION FOR RELIEF WHICH WAS FILED ON ON THE PETITION THE JUDGE DENIED THE PETITION THAT IT WAS THE PETITIONERS WHEN IN POINT OF FACT IT WAS NOT,

(1)

(2) WILLFUL & PERSISTENT FAILURE TO PERFORM DUTIES

(2) AFTER I  
PETITION

THE PETITIONER'S DENIED

(A) (3). I AWARED THE COURTS

UNDER (JUDGE)

CONTROL

IN MY MOTION FOR REHEARING DATED

WITH ATTACHED

MEMORANDUM OF POINTS AND AUTHORITIES AND REFERENCES  
TO EXCERPTS FROM THE RECORD.

MEMORANDUM OF POINTS AND AUTHORITIES

I STATED THAT THE COURT HAS MIS-STATED THE FACTS  
IN THE MAKING OF ITS DETERMINING THAT THE GROUNDS WHICH  
WERE SUBMITTED VIA MY IS UNTIMELY.

THE COURT IS IN ERROR AS FILED DENIAL  
AS TO THE PETITION WHERE THE COURT REFERENCES  
THE INSTANT MATTER AS BEING THE PETITIONERS  
PROCEEDING THE RECORD IS CLEAR IN THAT AREA, THIS  
PETITION IS PETITIONERS AT SEEKING RELIEF,  
(SEE, EXHIBIT A, THIS DOCUMENT ELECTRONIC INDEX OF  
RECORD PAGE 8 OF 9)

~~DEF~~ (I) THE PETITIONER STATES THAT MY  
IS NOT UNTIMELY UNDER THE LAW PURSUANT TO  
STATE -U- ROBBINS, 166 ARIZ 531, 533; 803 P2D 942, 944 (APP 1991)  
AND MARTINEZ -U- RYAN, 566 U.S. 2012, AND STATE -U- PETTY  
255 ARIZ. 369, 238 P3D 637  
PETITIONER DID TIMELY ~~THE~~ <sup>FILE HIS</sup> MOTION FOR REHEARING WHICH THE COURT  
ULTIMATELY DENIED AS WELL (SEE DOCKET)

(2)



(3) CONDUCT THAT BRINGS THE JUDICIAL INTO DISREPUTE

(3) NOW DURING THE INTRIM WHILE I THE PETITIONER WAS AWAITING DETERMINATION OF THE MOTION FOR REHEARING (WHICH WAS DENIED) PETITIONER WAS CONTACTED BY A LAWYER

I RECEIVED ON

THIS ATTORNEY NAME WAS \_\_\_\_\_ OF

THE \_\_\_\_\_ LAW OFFICE;

(SEE EXHIBIT-B) COUNSEL

WAS APPOINTED TO REPRESENT PETITIONER IN A

COUNSEL REQUESTED SOME OF MY LEGAL DOCUMENTS, FILES WHICH I HAD WHICH I SENT TO HIS OFFICE VIA US MAIL.

SINCE THIS INCIDENT WHICH HAS LEFT THIS PETITIONER IN

LIMBO AS WHAT IS OCCURRING, I HAVE RECEIVED A

LETTER FROM COUNSEL (THE CORRESPONDENCE DATED

THE

(SEE EXHIBIT-G)C

IN THIS LETTER COUNSEL THANKED ME FOR MY INPUT AND

STATED THAT HE SPOKE WITH MY PREVIOUS ATTORNEY: MS

ATTORNEY AT LAW

I

THE PETITIONER STATES I TALKED WITH

MR

ON

by LEGAL SCHEDULE

THROUGH

WHERE AT THE TIME I

WAS HOUSED. (SEE EXHIBIT-D)

(3)

IN THE CALL DEFENDANT/PETITIONER RE-INTERATED ALL THINGS WHICH HAVE TRANSPIRED TO DATE COUNSEL STATED THAT HE STILL NEEDED TO GO THROUGH MY RECORDS. I THE PETITIONER VOICED CONCERNS AND WAS VOCAL ABOUT MY PETITION FOR REVIEW FOR FILING PURSUANT TO COUNSEL STATED HE WOULD MAKE SOME MORE CALLS AND INQUIRIES ABOUT THIS MATTER AND NOT TO DO ANYTHING.

PETITIONER THEREFORE IN AN EFFORT TO PRESERVE MY RIGHT AND TO DEFEAT ANY NOTIONS OF PROCEDURAL DEFAULTS, HEREIN I HAD TO ALERT THE COURTS ON MY OWN TO EVENTS AND REQUEST TO SUSPEND THE TIME FRAMES FOR FILING MY PETITION FOR REVIEW WHICH WAS ON OR ABOUT UNTIL COUNSEL CAN MAKE A DETERMINATION IN THIS MATTER WHERE UPON COUNSEL AND THE PETITIONER WILL IMMEDIATELY NOTIFY THE COURT AND PROCEED ACCORDINGLY. YET WRITTEN ATTORNEY ONLY HIM RESPOND ON ADVISING ME THAT HE IS NOT MY ATTORNEY AFTER I'VE SENT HIM ALL MY CONFIDENTIAL LEGAL MATERIAL (SEE EXHIBIT - B) LETTER DATED FROM MR

RESPECTFULLY SUBMITTED THIS DAY OR